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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :  
: Plaintiff, :  
: v. : Civ No. 08CV0415 (LBS)  
: ECF Case  
ANATOLY RUSS, :  
: Defendant. :  
:

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**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law, with exhibits, and upon the entire record and all prior proceedings herein, plaintiff Securities and Exchange Commission (“Commission”), will move this Court before the Honorable Leonard B. Sand at the United States Courthouse, 40 Centre Street, New York, New York, at such time that the Court deems appropriate, for an Order directing the Clerk to distribute the funds paid into the Court in partial satisfaction of the Final Judgment against Defendant Anatoly Russ to three victims of Defendant’s fraud.

Respectfully submitted,

s/ Scott A. Thompson  
Scott A. Thompson  
Tami S. Stark (TS-8321)

Attorneys for Plaintiff

**SECURITIES AND EXCHANGE  
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Dated: August 25, 2008